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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**
11

12 HERMAN MILLER, INC..

13 *Plaintiff,*
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15 v.

16 BLUMENTHAL DISTRIBUTING, INC.
17 d/b/a OFFICE STAR PRODUCTS;
18 JORNG WELL INDUSTRIAL CO., LTD.;
19 NOVA ASIA INT'L INC.; NOVA
20 INNOVATIONS INT'L LTD.; and
KING HONG INDUSTRIAL CO., LTD.,

21 *Defendants.*
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Case No: 2:17-cv-04279 JAK-SP

**STIPULATED ORDER DISPOSING
OF REMAINING CLAIMS IN THE
ACTION**

JS-6: Case Terminated

1 The Court hereby enters this Stipulated Order Disposing of Remaining Claims in the
2 Action, as agreed to by Blumenthal Distributing, Inc. ("Office Star") and Herman Miller,
3 Inc. ("Herman Miller") with respect to Claims III, IV, and V of the Second Amended
4 Complaint as follows:

5 After three months from the entry of this Order, Office Star (including Office Star
6 Canada) is prohibited from:

- 7 1) Manufacturing, marketing and distribution of any of the chair designs shown
8 at **Exhibit B** hereto, and any other chairs having the same backrest design as
9 those chairs, regardless of color or model number.
- 10 2) Manufacturing, marketing, and distribution of any chairs that are confusingly
11 similar to the overall appearance of the Caper chairs, as shown in **Exhibit A**
12 hereto, irrespective of color. **Exhibit C** depicts non-limiting examples of such
13 prohibited designs.
- 14 3) Assisting any other entity to take the actions described in (1) or (2).
- 15 4) For avoidance of doubt no chairs having the appearance of those identified in
16 **Exhibit D** hereto -- including any versions with padded backrests -- are
17 subject to this judgment, irrespective of their color or upholstery, and neither
18 are chairs shown in Exhibits B or C wherein the backrest is changed to match
19 a backrest shown in Exhibit D.

20 This Court has jurisdiction over the parties and the subject matter of this action, and
21 continuing jurisdiction to enforce this Stipulated Order. This Order fully disposes of all
22 remaining claims in the case. Each side to bear their own costs and fees.

23 In light of the foregoing, all dates, deadlines, and motions are vacated.

24 IT IS SO ORDERED.

25 Dated: November 7, 2019



26 JOHN A. KRONSTADT
27 UNITED STATES DISTRICT JUDGE
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EXHIBIT A
HERMAN MILLER CAPER CHAIRS

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EXHIBIT B
CHAIRS HAVING PROHIBITED BACKREST DESIGNS

		
STC866	827 Series	867 Series
(only chair in series)	Series includes: 82710 82720 82740 2894 / 2894C	Series includes: 86710 86724 86725 86726 86740



82710



82720



82740



STC866



86710



86724



86725



86740

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EXHIBIT C
ADDITIONAL EXAMPLES OF CHAIRS
HAVING PROHIBITED BACKREST DESIGNS



827NPF



8294NCF



8625NSF



8298NCP



33535TMF+36I4



829NTP

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aire s3000



aire s5000

Interion® Upholstered Stackable Chairs



breeze with
casters



breeze without
casters

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AL603NP



AL722NPV



841NPF



8742NSP



8752NSF



ST200 / ST200C



SG1K



SG2K



**2800 ARC STACKING
SERIES**

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EXHIBIT D
EXAMPLES OF CHAIRS HAVING
EXEMPTED BACKREST DESIGNS





8654NSF

871NSF

865NTP

870NTP



8413NPF

8712NSF



8610



8620



8640



8455



STC865

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